

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

Chapter 11

**KEN NAHOUN,**

Case No. 16-12662 (MG)

Debtor.

-----X

**APPLICATION FOR SUBSTITUTION  
OF COUNSEL FOR THE DEBTOR**

**TO: THE HONORABLE MARTIN GLENN,  
UNITED STATES BANKRUPTCY JUDGE:**

The Application of Ken Nahoum, (the debtor and debtor-in-possession (the “Debtor”), respectfully represents:

1. On September 20, 2016 (the “Filing Date”), the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”). The Debtor has continued in control of its property as debtor-in-possession pursuant to sections 1107 and 1108 of title 11 of the United States Code (the “Bankruptcy Code”).

2. The Debtor has filed his schedules of assets and liabilities and lists of creditors and executory contracts required pursuant of section 521 of the Bankruptcy Code and Bankruptcy Rule 1007.

3. Previously, by Order of this Court, the Debtor retained the law firm of DiConza Traurig Kadish LLP (“DTK”) as his counsel in this Chapter 11 case.

4. By this Application, the Debtor seeks to substitute Shafferman & Feldman LLP ("S&F") as his counsel in place of DTK, and employ S&F as his counsel pursuant to section 327 of the Bankruptcy Code.

5. The Debtor respectfully submits that it will be necessary to employ and retain S&F to render services as follows:

- (a) To give advice to petitioner with respect to its power and duties as Debtor in the continued operation of its business and the management of its property;
- (b) To negotiate with creditors of the Debtor in working out a plan and to take the necessary legal steps in order to consummate said plan, including, if need be, negotiations in financing a plan;
- (c) To appear before the various taxing authorities in order to work out a plan to pay taxes owing in installment payments;
- (d) To prepare on behalf of petitioner, as Debtor necessary applications, answers, orders, reports and other legal papers;
- (e) To appear before the Bankruptcy Judge and to protect the interests of petitioner before the Bankruptcy Judge and to represent the Debtor in all matters pending before the Bankruptcy Judge; and
- (f) To perform all other legal services for the Debtor which may be necessary herein.

6. The Debtor believes that S&F is qualified to act as counsel for the Debtor as Joel Shafferman, the attorney at S&F who will work on this case has had considerable experience in matters of this character and, specifically, in this case.

7. To the best of Applicant's knowledge, S&F has no connection with the Debtor herein, its creditors or any other party in interest, except as set forth in the Affidavit of Joel M.

Shafferman, a member of S&F annexed hereto. The Debtor is satisfied that S&F represents no interest adverse to the Debtor which would preclude it from acting as counsel to the Debtor herein in matters upon which it is to be engaged and that its employment will be in the best interests of the estate.

8. The Debtor respectfully requests that S&F be retained on a general retainer basis in accordance with section 328(a) of the Code, with compensation and reimbursement of expenses to be determined upon application to this Court.

9. No previous application has been made for the relief requested.

**WHEREFORE**, Applicant the Debtor seeks entry of the Order substituting S&F as counsel to the Debtor herein and such other and further relief as to this Court seems just and proper.

Dated: New York, New York  
May 23, 2017

By:

/S/ Ken Nahoum  
Ken Nahoum

No Objection:  
DiConza Traurig Kadish LLP

/S/ Allen G. Kadish  
By: Allen G. Kadish